

# **Fire Safety Code Board**

## **Of Appeal and Review**

**Hearing Minutes November 9, 2010**

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, November 9, 2010 at 1:00 P.M. Present were Vice Chairman Newbrook and Commissioners Richard, Preiss, Walker, Jasparro, Dias and Filippi. Chairman Coutu and Commissioners Pearson, Jackson and Blackburn were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #050450A: Winograd, Shine & Zacks, for the property located at 135 Dodge Street, Providence. Chief of Inspections Scott Caron appeared for the State Fire Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Jasparro, to grant the Applicant a time variance until November 30, 2010 to bring this facility into compliance with the Fire Code, with the State Fire Marshal's Office having the authority to extend that deadline for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #090117: Mr. Albert Conti, for the property located at 410 Gooseberry Road, Wakefield (Building #2). ADSFM Chris Heiner appeared for the Union Fire District Fire Marshal's Office.**

**Commissioner Dias made a motion, seconded by Commissioner Richard, to grant the Applicant the following relief. The Applicant is granted a variance based on structural hardship for the cited egress, provided the area in question is marked or padded. The Applicant is granted a variance in order to allow him to install a horn off the ansul system or to install a visual device in lieu of a fire alarm system in this facility. The Applicant is also allowed to maintain the existing hood with the addition of a small system into the existing hood, at the direction and to the satisfaction of the Union Fire District Fire Marshal's Office. All corrections are to be made prior to re-opening in May 2011. The motion was unanimous.**

**APPEAL #060677A: Executive Director Scott Mohon, for the property located at 19 Touro Street, Newport. ADSFM Ray Gomes appeared for the Newport Fire Marshal's Office. Commissioner Jasparro made a motion, seconded by Commissioner Filippi, to allow the Applicant to bring this facility into compliance with the Fire Code prior to re-opening, for whatever occupancy exists at that time. The Applicant is directed to maintain the fire alarm system in this facility at all times. The motion was unanimous.**

**APPEAL #060743: Ms. Lydia Bergeron, for the property located at 449 Thames Street, Newport. ADSFM Ray Gomes appeared for the Newport Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioner Richard, to grant the Applicant's request**

**for variances. The motion was unanimous.**

**APPEAL #100244: Mr. Mark Lescault, for the property located at 54 Barker Avenue, Warren. DSFM Octavio Vieira appeared for the State Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of thirty days from the date of the decision to present a plan of action to the State Fire Marshal's Office for the correction of the outstanding deficiencies in this facility. The Applicant is granted an additional 150 days to implement that plan of action, and the State Fire Marshal's Office is granted the authority to extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #090319: Ms. Betsey Peckham, for the property located at 499 East Main Road, Middletown. The Middletown Fire Marshal was not in attendance for this hearing. This case will be rescheduled.**

**APPEAL #100258: Ms. Cheryl L. Curcio, for the property located at 10 Waterman Avenue in Johnston. DSFM Robert Couture appeared for the State Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Jasparro, to grant the Applicant's request to allow the existing sire alarm system within this facility to remain, provided the Applicant forwards monthly documentation to the State Fire Marshal's Office as requested by that office. The motion was unanimous.**

**APPEAL #100243: Mr. Edward Rondeau, for the property located at 347 Huntington Avenue, Providence. DSFM Michael Macaruso appeared for the State Fire Marshal's Office. Commissioner Filippi made a motion, seconded by Commissioner Jasparro, to grant the Applicant a variance based on structural hardship for the cited headroom, provided the Applicant provides notification or padding at that area. The motion was unanimous.**

**APPEAL #100278: Ms. Margaret Bubis, for the property located at 1073 Mineral Spring Avenue, North Providence. DSFM David Cionfolo appeared for the State Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Walker, to grant the Applicant's request to be allowed to utilize the provisions of 101A, and to leave this file open until the project is complete. The motion was unanimous.**

**APPEAL #100217: Ms. Polina Freydina, for the property located at 52 Pontiac Avenue, Providence. ADSFM Brian Kreizinger appeared for the Providence Fire Marshal's Office. It was determined to hold this case over until January 11, 2011 while the courts determine the occupancy of this facility. No action taken at this time.**

**APPEAL #100239: Cranston YMCA, for the property located at 1225 Park Avenue, Cranston. DSFM Christine Kent appeared for the State Fire Marshal's Office. Commissioner Filippi made a motion,**

**seconded by Commissioner Richard, to grant the Applicant a time variance of thirty days from the date of the decision to provide the State Fire Marshal's Office a plan of action for the correction of all outstanding deficiencies in this facility, and an additional 150 days to implement that plan of action, with the State Fire Marshal's Office having the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #100233: Providence Assembly of God, for the property located at 353 Elmwood Avenue, Providence. ADSFM Richard Fournier and ADSFM Chris Dillon appeared for the Providence Fire Marshal's Office. Commissioner Preiss abstained from voting on this case. Commissioner Walker made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of thirty days from the date of the decision to provide the Providence Fire Marshal's Office a plan of action for the correction of all outstanding deficiencies in this facility, and an additional 150 days to implement that plan of action, with the Providence Fire Marshal's Office having the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #100234: Mr. Son K. Ho, for the property located at 337-339 Broad Street in Providence. ADSFM Richard Fournier appeared for the Providence Fire Marshal's Office. Commissioner Preiss did not participate in this case. Commissioner Jasparro made a motion,**

seconded by Commissioner Dias, to grant the Applicant a time variance of thirty days from the hearing date to provide the Providence Fire Marshal's Office a plan of action for the correction of all outstanding deficiencies in this facility, and an additional 150 days to implement that plan of action, with the Providence Fire Marshal's Office having the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

**APPEAL #100249:** Mr. Albert Veri, for the property located at 60 Ship Street, Providence. ADSFM Richard Fournier and ADSFM Frank Mills appeared for the Providence Fire Marshal's Office. Commissioner Preiss did not participate in this case. Commissioner Richard made a motion, seconded by Commissioner Filippi, to grant the Applicant a time variance of thirty days from the date of the decision to provide the Providence Fire Marshal's Office a plan of action for the correction of all outstanding deficiencies in this facility, and an additional 150 days to implement that plan of action, with the Providence Fire Marshal's Office having the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

**APPEAL #100213** (Mt. Pleasant High School), **100214** (Hope High School) **100215** (Classical High School) in Providence. Commissioner Preiss did not participate in this case. ADSFM Frank Mills, ADSFM Lisa Krapf and ADSFM Chris Dillon appeared for the Providence Fire

**Marshal's Office. Commissioner Richard made a motion, seconded by Commissioner Filippi, to approve the Applicant's plans of action for the three schools, and to approve the Providence Fire Marshal's request to be able to approve partial sprinkler plans for Classical High School. The motion was unanimous.**

**Commissioner Jasparro made a motion, seconded by Commissioner Walker, to approve the subcommittee's recommendations for the property located at 150 Chestnut Street in Providence, heard on 10/26/10. The motion was unanimous.**

**Commissioner Richard made a motion, seconded by Commissioners Jasparro and Walker, to approve the subcommittee's recommendations for the properties heard on 11/4/10. The motion was unanimous.**

**Respectfully submitted**

**Carol Marsella**